

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL J. QUILLING, Receiver for Advanced Financial Services, Inc.,	§ § §	
Plaintiff,	§ § §	Civil Action No. 1:03-CV-0236
vs.	§ § §	
TRADE PARTNERS, INC., MACATAWA BANK CORPORATION, successor by merger to GRAND BANK, THOMAS J. SMITH and CHRISTINE M. ZMUDKA,	§ § § § § §	
Defendants.	§	

REPORT AND RECOMMENDATION

On August 21, 2006 the Court conducted a hearing on the Receiver's Motion to Disallow/Reclassify/Offset Claim Nos. A-04677, A-04678 and A-04679 (Lewis McBride) [Docket No. 1335]. Lewis McBride is a broker who received commissions from Trade Partners, Inc. Although given proper notice of the hearing, the claimant did not appear or otherwise respond. Based on the evidence presented, applicable law and argument of counsel, the Court makes the following report and recommendation.

Accordingly, the Magistrate Judge recommends that the Receiver's Motion to Disallow/Reclassify/Offset Claim Nos. A-04677, A-04678 and A-04679 (Lewis McBride) [Docket No. 1335] be **granted** and that each of the claims set forth below be reclassified as "B" Claims (creditor claims) and adjusted and allowed in the amount proposed by the Receiver:

Claim No.	Claim Amount	Receiver's Proposed Claim
A-04677	\$66,000.00	\$35,000.00
A-04678	\$200,000.00	\$30,000.00
A-04679	Unknown	\$0.00

The Magistrate Judge further recommends that these claims be offset in their entirety by commissions paid to the claimant and the claims reduced to zero.

Respectfully submitted,

Date: August 24, 2006

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-950 (6th Cir. 1981).